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BLUNT *v.* MERCANTILE RY. BUILDING & LOAN ASS'N et al.

June 12, 1913.

[78 S. E. 544.]

**Building and Loan Associations (§ 42\*)—Insolvency—Nature of Indebtedness—Purchase of Stock or Loan.**—On a claim against the receiver of an insolvent building and loan association, evidence held to require a finding that deposits of \$300 and \$1,800, respectively, by the claimant were loans to the association, and not payments for stock, and hence that claimant was a creditor, and not a stockholder.

[Ed. Note.—For other cases, see Building and Loan Associations, Cent. Dig. §§ 63, 66, 86-88; Dec. Dig. § 42.\* 2 Va.-W. Va. Enc. Dig. 652.]

Appeal from Circuit Court of City of Alexandria.

Action by C. T. Blunt against the Mercantile Railway Building & Loan Association and others. Judgment for plaintiff for less than the relief demanded, and he appeals. Reversed.

*Howard L. Smith* and *S. G. Brent*, both of Alexandria, for appellant.

*J. K. M. Norton* and *Gardner L. Boothe*, both of Alexandria, for appellees.

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MATHEWS *v.* HICKMAN.

June 12, 1913.

[78 S. E. 555.]

**Easements (§ 61\*)—Right of Way—Obstruction—Injunction.**—Where the grantor agrees that the grantee shall have a road to the premises, and there is an existing road over land retained by the grantor, which is recognized by the parties as the road intended, the grantee may enjoin obstruction thereof by a subsequent purchaser of the grantor's land over which the road passes.

[Ed. Note.—For other cases, see Easements, Cent. Dig. §§ 102, 130-144, 148; Dec. Dig. § 61.\* 4 Va.-W. Va. Enc. Dig. 867; 14 Va.-W. Va. Enc. Dig. 365.]

Appeal from Circuit Court, Accomack County.

Suit by Tully J. Mathews against Samuel E. Hickman. From a decree in favor of defendant, complainant appeals. Reversed, and decree entered for complainant.

*Stewart K. Powell*, of Onanock, for appellant.

*L. Floyd Nock* and *Benj. T. Gunter*, both of Accomack, for appellee.

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\*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.